



DOCKET NO.: OVIT-0190

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 30 2002

In Re Application of:

Jeffrey G. Marx, et al.

TECH CENTER 1600/2900

Serial No.: 10/035,797

Group Art Unit: 1651

Filing Date: October 23, 2001

Examiner: Not Yet Assigned

For: **BIOLOGICALLY ACTIVE COMPOSITES AND METHODS FOR THEIR PRODUCTION AND USE**

DATE OF DEPOSIT:

October 21, 2002

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

Richard D. Watkins

TYPED NAME: Richard D. Watkins

REGISTRATION NO.: 50,993

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).



In accordance with §1.97(b), since this Information Disclosure Statement is being

filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first office action after the filing of request for continued examination under §1.114, no additional fee is required.

- ☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐the first or ☐second After Final Submission, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of \$180.00 as set forth in §1.17(p).
- ☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

- ☐ In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:
- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

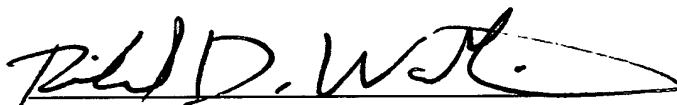
Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.  
This form is submitted in duplicate.

Enclosed is a copy of the PCT International Search Report dated **September 12, 2002**, which indicates the references to be relevant.

There are no listed references which are not in the English language.

Date:

*October 21, 2002*



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**Form PTO-1449 Modified**

List of Patent and Publications  
Cited by Applicant  
(Use several sheets if necessary)

U.S. Department of Commerce  
Patent and Trademark Office

Docket No.  
**OVIT-0190**

Serial No.  
**10/035,797**

Applicant  
**Jeffrey G. Marx, et al.**

Filing Date  
**October 23, 2001**

Group  
**1651**

**U. S. PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Name	Class	Subclass
	3	4,065,360	12/27/77	Kreb, III	195	139
	4	4,801,263	01/31/89	Clark	433	90
	5	5,772,665	06/30/98	Glad, et al.	604	82
	6	5,824,084	10/20/98	Muschler	623	16
	7	6,049,026	04/11/00	Muschler	623	16

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**FOREIGN PATENT DOCUMENTS**

Examiner Initial		Document No.	Date	Country	Translation YES NO	

**EXAMINER****DATE CONSIDERED**